IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL WRIT PETITION NO.2472 OF 2005

K.A.Shetti ...Petitioner

Versus

State of Maharashtra & Anr. ...Respondents

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Mr.Pranav Badheka for Petitioner.

Mr.Rajesh More, A.P.P. for Respondent No.1.

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CORAM: A.M.KHANWILKAR, J.

DECEMBER 1, 2005.

P.C.

1. As alternative efficacious remedy is available to the Petitioner by way of revision in view of the decision of this Court in the case of **V.K.Jain & Ors. vs. Pratap V.Padode reported in 2005(3) Mh.L.J. 778**. Counsel for the Petitioner fairly prays for withdrawal of this Petition with liberty to take recourse to remedy of revision. Hence, dismissed as withdrawn with liberty as prayed. All questions are left open.

2. The Petitioner to file such Revision Application within two weeks from today, which shall be considered on its own merits in accordance with law.

3. In case, there is any delay in filing Revision Application, Court will take into account the fact that the Petitioner had first approached this Court, which period may be excused in computing delay.

6. Petition disposed of on the above terms.

7. Stay of further proceedings pending before the Trial Court for a period of two weeks from today, only insofar as Petitioner/accused No.6, to enable him to move the Trial Court.

A.M.KHANWILKAR, J.